

Docket No. 94100420(EP)USC1X1C1D9 PDDD
USSN: 09/777,283

PATENT
Art Unit: 2154

REMARKS

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-12 are pending in the present application. The Examiner has rejected claims 1-12 under 35 USC 103(a) as being unpatentable over Krause et. al (US Patent No. 5,091,782), in view of Dargel, et. al (U.S. Patent No. 4,398,176). The Examiner asserts that Krause includes all of the limitations of the invention as claimed, except:

“a token generator responsive to the encoded data stream for generating at least one data token and a control token corresponding to each of the different compression standards”

The Examiner further asserts that the limitation above is found in Dargel and that the two references when combined yield a rejection under 35 USC 103(a).

Applicant has amended claims 1 and 3-12. Applicant has cancelled claim 2. Applicant respectfully traverses the rejection for at least the following reason:

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I.

Even if Dargel discloses a "control token", it cannot be combined with Krause in order to "prepare the pipeline for processing at one or more of a plurality of stages."

Dargel teaches away from preparing a pipeline for processing at one or more of a plurality of stages. Instead, Dargel does the following in order:

- 1) Dargel programs all of the stages in the pipeline, then
- 2) Dargel transfers data. (See Dargel at the Abstract)

The Abstract of Dargel states: "Once the stages are programmed the image data may be transferred." See also claim 2 of Dargel, where it is claimed that it will "alter a signal level on the data and command control lines to differentiate between the types of information on the bus."

It is clear from Dargel that even if the pipeline is being prepared for processing by altering the stages, it is performed initially, and then the data is transferred. Thus, only the initial stage in Dargel should be seen as a point where data is prepared for processing and not "one or more of a plurality of stages" as claimed.

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Moreover, claim 2 clearly describes how Dargel is directed to using different formats "on the same bus" by altering the signal level. The altered signal level could have no other purpose than to use the same pipeline but be of a different nature. In contrast, the control token of the present invention is capable of preparing the pipeline for processing at potentially any stage, not just before the data is transferred at an initial stage, as in Dargel, but also in the middle of the pipeline, while the data is half way between the input stage and the output stage, for instance.

Thus, the present invention is capable of preparing the pipeline for processing while in a plurality of stages. Not just initially before the data is passed into the pipeline, but also while the data is inside the pipeline. Dargel teaches away from this possibility as it teaches that programming and / or "preparation for processing" only occurs initially and not when the data has reached an intermediate stage where it is already inside the pipeline. As such, cannot be combined with Krause to read on the present invention as claimed. Therefore, Applicant believes that independent claims 1 and 11 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. § 103(a) be withdrawn.

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CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

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Dated: June 8, 2004

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